

Senate Amendment 3135

PAG LIN

1 1 Amend House File 45, as passed by the House, as
1 2 follows:
1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:
1 5 <Section 1. NEW SECTION. 249A.38 COMMITTED
1 6 INDIVIDUALS == SUSPENSION OR TERMINATION OF MEDICAL
1 7 ASSISTANCE == REAPPLICATION FOR SOCIAL SECURITY AND
1 8 SUPPLEMENTAL SECURITY INCOME.
1 9 1. The medical assistance benefits of an
1 10 individual who received medical assistance immediately
1 11 prior to commitment to a public institution by reason
1 12 of an arrest or charge for or conviction of a crime,
1 13 may be suspended rather than terminated for the
1 14 initial twelve-month period of commitment if the
1 15 individual was eligible for medical assistance by
1 16 reason of disability or being sixty-five years of age
1 17 or older. Following the initial twelve-month period
1 18 of commitment, such benefits may be terminated.
1 19 2. The entity with control of the public
1 20 institution to which an individual specified under
1 21 subsection 1 is committed shall work with the
1 22 department to develop a process for all of the
1 23 following:
1 24 a. Notifying the department of the date an
1 25 individual who may be eligible for suspension of
1 26 medical assistance enters the public institution.
1 27 b. Notifying the department of any changes that
1 28 may affect the individual's eligibility for medical
1 29 assistance during the time the individual is committed
1 30 to the public institution.
1 31 c. Assisting the department in the medical
1 32 assistance review process as part of the individual's
1 33 discharge planning prior to release of the individual
1 34 in order to provide the individual with continued
1 35 medical coverage.
1 36 3. The entity with control of the public
1 37 institution to which an individual specified under
1 38 subsection 1 is committed shall work with the
1 39 department to develop a process for the individual to
1 40 apply or reapply for supplemental security income or
1 41 social security as part of the individual's discharge
1 42 planning if the entity determines that the individual
1 43 may be eligible for such benefits.
1 44 4. For the purposes of this section, "public
1 45 institution" means a public institution, as defined in
1 46 42 C.F.R. } 435.1010, to which an individual is
1 47 committed by reason of arrest or charge for or
1 48 conviction of a crime.
1 49 5. This section applies to individuals as
1 50 specified in subsection 1 on and after October 1,
2 1 2009.
2 2 Sec. 2. EMERGENCY RULES. The department of human
2 3 services may adopt emergency rules under section
2 4 17A.4, subsection 3, and section 17A.5, subsection 2,
2 5 paragraph "b", to implement the provisions of this Act
2 6 and the rules shall be effective immediately upon
2 7 filing unless a later effective date is specified in
2 8 the rules. Any rules adopted in accordance with this
2 9 Act shall also be published as a notice of intended
2 10 action as provided in section 17A.4 to implement this
2 11 Act.>
2 12 #2. Title page, by striking lines 1 through 3, and
2 13 inserting the following: <An Act relating to
2 14 suspension or termination of medical assistance for
2 15 individuals committed to certain public institutions,
2 16 including reapplication for social security and
2 17 supplemental security income.>
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2 20
2 21 COMMITTEE ON HUMAN RESOURCES
2 22 AMANDA RAGAN, CHAIRPERSON
2 23 HF 45.501 83
2 24 pf/nh/22989

